THE HONOURBALE SRI JUSTICE GODA RAGHURAM

WP NO.14223 OF 2004

Between:

N.Sesha Ratna Kumari wife of Ramaseshaiah

....petitioner

Vs.

The Tax Recovery Officer, Income Tax Department, Vijayawada and others

…Respondents

THE HONOURBALE SRI JUSTICE GODA RAGHURAM

WP NO.14223 OF 2004

ORAL ORDER

The writ petition is directed against the alleged inaction of the respondents in delivering possession of the land to the petitioner's husband as per the auction held on 19-03-1996 and for a consequent direction to the respondents to deliver possession of the land to the extent of Ac.2.29 cents in R.S.No.371/4,474 of Kesarapalli Village, Gannavaram Taluq, Vijayawada while paying penal interest @ 24% upon the amount paid by the petitioner's husband in 1986.

The 1st respondent has filed a counter-affidavit stating that an extent of Ac.2.29 cents in R.S.No.468/2 (and not R.S.No.371/4, 471 as asserted in the writ petition) of Kesarapalli village, Gannavaram Taluq, Vijayawada was auctioned by the Income Tax Department in connection with the recovery of the Income Tax outstanding arrears of Sri Verapaneni Sreeramamurthy, and the petitioner's husband late Nutakki Ramaseshaiah was the highest bidder and the bid amount was paid by him.

Responding to the complaint of the petitioner that possession is not delivered, the counter-affidavit states that soon after the money is transferred to the account of the respondents the sale certificate will be issued in favour of the petitioner in respect of the land.

In view of this assertion by the 1st respondent no further proceedings are warranted. The writ petition is accordingly disposed of. No order as to costs.

GODA RAGHURAM,J

9th AUGUST 2007
***TSNR**